

REMARKS

The Examiner objected to the Applicant's claim for priority of the claims. The Applicant has amended the Application to remove any claim of priority to the earlier applications. The effective filing date of the above entitled application is therefore September 24, 2003.

The Examiner objected to claims 1 - 91 under 35 U.S.C. § 102(e) as being clearly anticipated by Park. The Examiner states that Park discloses a photoionizer. The Applicant respectfully traverses this contention.

Paragraph 3(a) of the Office Action states that Park discloses multiplexing between electrosprays and lamps. The Examiner seems to imply that the "lamps" are photoionizers. The Applicant believes that it is not inherent that lamps would necessarily photoionize a sample. For example, the lamps may be used to illuminate the chamber for viewing purposes. Column 7, lines 6 - 8 of Park states that sprayers, or other devices such as lamps, microscopes, or cameras can be attached to the chamber. Thus Park contemplates the use of microscopes and cameras to view the ionization chamber. It would be logical to include a lamp to illuminate the chamber for viewing through the microscope or camera. For something to be inherent, it must be necessarily so. The mention of lamps in Park does not necessarily mean that these devices are photoionizers. The Applicant therefore contends that the mentioning of lamps in Park does not inherently mean that such devices are photoionizers. Additionally, Park does not disclose or suggest a switch that controls the lamps and an electrospray ionizer to control different modes of operation. Park provides no disclosure on switching between the lamps and the sprayers.

Paragraph 3(b) of the Office Action states that Park discloses a plurality of ionization sources including electrospray, photoionization and chemical ionization. The Examiner has cited columns 1, 2 and 8 of the Park reference. Columns 1 and 2 of Park are background material that discuss the various type of ionizers that can be used in a detector. The background of Park is merely a catalog of different ionizers. This section of the Park Patent does not disclose or suggest usage of an electrospray and an photoionizer in conjunction with a switch that can create different modes of operation. Column 8, lines 52 - 61 of Park

disclose other types of sprayers including APCI, but this section does not disclose or suggest the use of a photoionizer, nor does this section disclose or suggest a switch that can control a photoionizer and an electrospray to create different modes of operation. For all of the above reasons, the Applicant submits that Park does not anticipate claims 1 - 91 of the above entitled application.

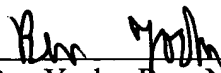
In view of the above it is submitted that the claims are in condition for allowance.

Reconsideration of the rejections is requested. Allowance of claims 1 - 91 at an early date is solicited.

Respectfully submitted,

IRELL & MANELLA LLP

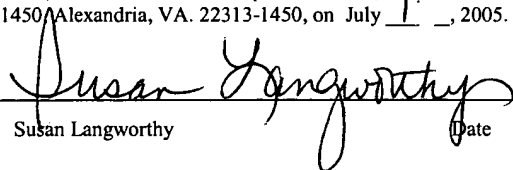
Dated: July 15, 2005


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I hereby certify that this correspondence is being deposited in the U.S. Mail, First Class, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450/Alexandria, VA. 22313-1450, on July 15, 2005.


Susan Langworthy Date July 15, 2005